

TOWN OF NANTUCKET
NANTUCKET, MASSACHUSETTS

Permit Application for Beach Event

For _____ Beach
(Please indicate Beach Location from attached list)

EVENT DATE: _____

EVENT TIME: _____ START: _____ END: _____

TOTAL NUMBER OF PEOPLE EXPECTED: _____

TOTAL NUMBER OF PAID STAFF EXPECTED: _____

TYPE OF EVENT:

_____ Wedding Ceremony

_____ Wedding Reception

_____ Cook-out/Barbeque

_____ Clambake

_____ Business Group _____
Type of Group

_____ Non-Profit _____
Fundraiser

_____ Family/Relatives

_____ Other _____

WILL TENT BE ERECTED _____ If yes, please indicate name of tent company, size of tent, and contact #.

Will there be other structures used in this event (i.e. tables, chairs, light, etc) If so, please explain.

CATERING COMPANY: _____

Phone #: _____

Contact Person: _____

CLEAN-UP PLANS: _____

NAME OF APPLICANT: _____

ADDRESS ON-ISLAND: _____

OFF-ISLAND: _____

ISLAND PHONE #: _____ OFF-ISLAND #: _____

FAX #: _____ E-MAIL ADDRESS: _____

I, THE ABOVE APPLICANT HAVE RECEIVED, UNDERSTAND AND WILL COMPLY WITH THE TOWN REGULATIONS REGARDING A BEACH EVENT IN THE TOWN OF NANTUCKET.

Print Name

Signature

Date

APPLICANT MUST OBTAIN SIGN-OFFS FROM ALL APPLICABLE DEPARTMENTS BEFORE SUBMITTING TO TOWN ADMINISTRATOR FOR APPROVAL

REQUIRED TOWN DEPARTMENT APPROVALS

Please note that if requested event is to be held on LAND BANK property, this must be the first sign-off.

LAND BANK (IF APPLICABLE)

Recommendations and/or Requirements _____

Approval Signature

Date

POLICE DEPARTMENT: *Police Official(s) will review the application as to need for crowd control and determine the need for a third-party detail officer(s).*

Detail Officers: _____
Yes No Number

Advance Payment: _____
Yes No Amount

Recommendations and/or Requirements: _____

Police Official _____

FIRE DEPARTMENT: *Fire Department Official(s) will review the application to determine fire safety on beach.*

Recommendations and/or Requirements: _____

Fire Official: _____

Approval Signature _____

Yes _____

No _____

Date _____

HEALTH DEPARTMENT: *(IF APPLICABLE) Health Inspector will review the application regarding food services and determine requirements for sanitary facilities and Health Department permits.*

Licenses/Permits Required: _____

Number of portable toilets needed: _____

Recommendations and/or Requirements: _____

Health Department Official _____

Approval Signature _____

Yes _____

No _____

Date _____

PARK & RECREATION: *(IF APPLICABLE)*

Recommendations and/or Requirements: _____

BEACH MANAGER:

Recommendations and/or Requirements: _____

Approval Signature _____

Date _____

TOWN ADMINISTRATOR

Recommendations and/or Requirements: _____

Approval Signature

Date

NOT APPROVED: Referred to Board of Selectmen _____

FEE: checks should be made payable to the Town of Nantucket

____ UNDER 15 PEOPLE NO FEE

____ 16 – 75 PEOPLE \$100.00

____ OVER 75 PEOPLE \$200.00

The following is a list of popular island beaches and applicable permitting authority. Beach areas not identified are in private ownership and permission must be obtained directly from property owner, as is the case for those beaches noted below that are not under the jurisdiction of the Town.

BEACH

PERMITTING AUTHORITY

Children's Beach	Park & Recreation; Board of Selectmen
Jetties Beach	Park & Recreation; Board of Selectmen
Surfside Beach	Park & Recreation; Board of Selectmen
Madaket Beach	Park & Recreation; Board of Selectmen
Francis Street Beach	Park & Recreation; Board of Selectmen
Dionis Beach (swimming area)	Park & Recreation; Board of Selectmen
Dionis Beach (40 th Pole Area)	Land Bank; Private Property Owner
Sconset Beach (Codfish Park)	Park & Recreation; Board of Selectmen
Low Beach (Sconset)	Board of Selectmen; Land Bank
Smith's Point	Board of Selectmen
Ladies Beach	Land Bank
Fisherman's Beach	Board of Selectmen
Nobadeer Beach	Nantucket Memorial Airport
Miacomet Beach/Pond	Land Bank (west side); Board of Selectmen (east side)
Hummock Pond	Nantucket Conservation Foundation
Cisco Beach	Land Bank; Board of Selectmen
Pebble Beach	Land Bank
Eel Point	Nantucket Conservation Foundation
Brant Point	United States Coast Guard
Warren's Landing	Nantucket Conservation Commission
South Shore (Sewer Beds)	Board of Selectmen
Quidnet Beach	Audubon/private on ocean side; Land Bank on pond side)
Pocomo	Public Access to water only



TOWN OF NANTUCKET
REGULATIONS FOR THE USE OF TOWN-OWNED BEACHES
EFFECTIVE: August 1, 2003

I. AUTHORITY, PURPOSE AND DEFINITIONS.

A. ADOPTION

THESE REGULATIONS ARE ADOPTED BY THE BOARD OF SELECTMEN OF THE TOWN OF NANTUCKET, TO BE EFFECTIVE ON AUGUST 1, 2003.

B. PURPOSE

1. THE PURPOSE OF THESE REGULATIONS IS TO MANAGE BEACH EVENTS OR COMMERCIAL ACTIVITIES ON THE BEACHES OR ANCILLARY AREAS TO THE BEACHES WITHIN THE LIMITS OF THE TOWN OF NANTUCKET AS SUCH USES ARE DEEMED TO HAVE SIGNIFICANT EFFECT ON WETLANDS VALUES, INCLUDING BUT NOT LIMITED TO FLOOD CONTROL, EROSION, STORM DAMAGE PREVENTION, FISHERIES, SHELLFISH, WILDLIFE AND RECREATION; ON BEACH SCENIC VIEWS; ON EXCESSIVE NOISE; ON THE NATURAL SCENIC, HISTORIC AND AESTHETIC QUALITIES OF THE BEACH ENVIRONMENT ON NANTUCKET; ON THE PUBLIC SAFETY AND WELFARE; AND ON THE PRESERVATION OF PEACE AND GOOD ORDER.

THE PURPOSE IS ALSO TO REGULATE USE AND OPERATION OF MOTOR VEHICLES ON BEACHES.

2. THESE RULES AND REGULATIONS APPLY TO BEACHES OWNED BY THE TOWN OF NANTUCKET OR THOSE BEACHES MANAGED BY THE TOWN OR ON BEACHES WHERE THE PROPERTY OWNER HAS GIVEN THE TOWN THE OWNER'S PERMISSION TO APPLY THESE RULES AND REGULATIONS.
3. BEACH EVENTS ON PRIVATE PROPERTY THAT HAVE THE EXPRESS WRITTEN PERMISSION OF THE PROPERTY OWNER ARE EXEMPT FROM THE APPLICATION PROVISIONS OF THIS SECTION. NOTWITHSTANDING THE PERMISSION OF A PRIVATE PROPERTY OWNER TO ALLOW A BEACH EVENT OR COMMERCIAL ACTIVITY THAT WOULD OTHERWISE REQUIRE A PERMIT FROM THE TOWN OF NANTUCKET, ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS, BY-LAWS AND REGULATIONS SHALL CONTINUE TO BE APPLICABLE TO THE BEACH EVENTS AND COMMERCIAL ACTIVITIES DESCRIBED AND REGULATED HEREIN.
4. ADDITIONAL RESTRICTIONS OR LIMITATIONS MAY APPLY TO ANY APPROVED EVENT OR ACTIVITY (I.E. BEACH EROSION CONCERNS, ENDANGERED SPECIES, ANTICIPATED STORM EVENTS, REQUIREMENT OF SPECIAL POLICE DETAILS, ETC.)

C. DEFINITIONS

BEACH EVENT -- ANY GROUP, GATHERING OR CONVERGENCE OF MORE THAN FIFTEEN (15) PERSONS ON A DESIGNATED BEACH AREA OR ANCILLARY BEACH AREA WHERE ANY SERVICES PROVIDED FOR SAID EVENT ARE SUBSTANTIALLY COMMERCIAL IN NATURE AND WHICH EVENT IS FOR SOCIAL, RECREATIONAL OR COMMERCIAL PURPOSES. FAMILY GATHERINGS SHALL NOT CONSTITUTE A BEACH EVENT UNDER THIS DEFINITION.

COMMERCIAL ACTIVITY -- ANY ACTIVITY OR EVENT WHERE MONEY IS PAID TO AN INDIVIDUAL OR BUSINESS ENTITY FOR SERVICES RENDERED ON A BEACH OR ANCILLARY AREA TO A BEACH IN THE COUNTY OF NANTUCKET. FAMILY GATHERINGS SHALL NOT CONSTITUTE A COMMERCIAL ACTIVITY UNDER THIS DEFINITION.

DESIGNATED BEACH AREA -- A GEOGRAPHIC SECTION OF BEACH OR ANCILLARY AREA TO A BEACH IN THE TOWN OF NANTUCKET AS DETERMINED BY THE TOWN ADMINISTRATOR AND DESIGNATED AS SUCH ON A MAP ON FILE WITH THE TOWN CLERK AND THE OFFICE OF THE BOARD OF SELECTMEN.

ANCILLARY BEACH AREAS -- AREAS IN CLOSE PROXIMITY TO BEACHES IN THE TOWN OF NANTUCKET INCLUDING BUT NOT LIMITED TO OFF-BEACH PARKING AREAS.

II. BEACH EVENTS AND COMMERCIAL ACTIVITIES

1. THE USE OF NANTUCKET BEACHES FOR EVENTS OR ACTIVITIES INVOLVING A COMMERCIAL ENTERPRISE OR ACTIVITY, INCLUDING, BUT NOT LIMITED TO CATERING EVENTS OR OTHER SUCH BUSINESSES, SHALL REQUIRE A PERMIT FROM THE TOWN OF NANTUCKET.
2. UNLESS OTHERWISE AUTHORIZED BY THE TOWN ADMINISTRATOR, ONLY THREE (3) BEACH EVENTS PER WEEK AND ONLY ONE (1) EVENT PER DAY SHALL BE PERMITTED ON ANY DESIGNATED BEACH AREA IN THE TOWN OF NANTUCKET PURSUANT TO THESE REGULATIONS. PERMITS FOR BEACH EVENTS SHALL BE BASED ON A "FIRST-COME, FIRST SERVE BASIS". PERMITS FOR COMMERCIAL ACTIVITY WHERE MORE THAN ONE (1) COMMERCIAL ENTERPRISE APPLIES TO USE THE SAME BEACH ON THE SAME DATE WILL BE BASED UPON A "LOTTERY" SYSTEM AS DETERMINED BY THE TOWN ADMINISTRATOR.
3. NO BEACH EVENTS OR COMMERCIAL ACTIVITIES WITH AN EXPECTED ATTENDANCE OF MORE THAN TWO HUNDRED FIFTY (250) PEOPLE SHALL BE ALLOWED UNLESS A PUBLIC ASSEMBLY PERMIT APPLICATION HAS BEEN SUBMITTED AND APPROVED.
4. THE FEE FOR A BEACH EVENT PERMIT OR COMMERCIAL ACTIVITY PERMIT IS AS FOLLOWS: ONE HUNDRED DOLLARS (\$100.00) FOR EVENTS WITH AN EXPECTED ATTENDANCE OF SIXTEEN (16) TO SEVENTY-FIVE (75) PEOPLE, AND TWO HUNDRED DOLLARS (\$200.00) FOR EVENTS WITH AN EXPECTED ATTENDANCE OF OVER (75) PEOPLE.
5. BEACH EVENTS OR COMMERCIAL ACTIVITIES WITH AN EXPECTED ATTENDANCE OF MORE THAN SEVENTY-FIVE (75) PEOPLE MAY REQUIRE A SPECIAL POLICE DETAIL AS DETERMINED BY THE TOWN ADMINISTRATOR.
6. THE FOLLOWING ACTIVITIES ARE PROHIBITED AT ALL BEACH EVENTS OR COMMERCIAL ACTIVITY AT BEACHES SUBJECT TO THESE RULES AND REGULATIONS:
 - A. ELECTRICAL GENERATORS
 - B. DANCE FLOORS
7. ALL APPLICATIONS SHALL BE SIGNED CONFIRMING THAT THE APPLICANT HAS READ AND UNDERSTANDS ALL REGULATIONS PERTAINING TO A PERMITTED BEACH EVENT OR COMMERCIAL ACTIVITY AND THAT SUCH APPLICANT WILL ABIDE BY SUCH REGULATIONS, LIMITATIONS AND CONDITIONS PLACED UPON SUCH EVENT OR ACTIVITY.

8. THE PERMITEE SHALL BE REQUIRED TO OBTAIN AND PROVIDE PROOF OF COMPREHENSIVE LIABILITY INSURANCE IN THE MINIMUM AMOUNT OF ONE MILLION DOLLARS (\$1,000,000) NAMING THE TOWN OF NANTUCKET AND ANY OTHER PROPERTY OWNER OF THE DESIGNATED BEACH AREA WHERE THE BEACH EVENT OR ACTIVITY IS TAKING PLACE AS AN ADDITIONAL INSURED.
9. INDIVIDUALS OR BUSINESSES THAT PROVIDE CATERING OR OTHER FOOD-RELATED SERVICES ON BEACHES SUBJECT TO THESE RULES AND REGULATIONS MUST BE LICENSED BY THE BOARD OF HEALTH. A COPY OF THE FOOD SERVICE LICENSE FROM THE BOARD OF HEALTH SHALL BE SUBMITTED WITH AN APPLICATION FOR A BEACH EVENT OR COMMERCIAL ACTIVITY.
10. THE PERMITEE SHALL REMOVE ALL TRASH GENERATED BY THEIR BEACH EVENT OR COMMERCIAL ACTIVITY FROM THE BEACH AND DISPOSE OF IT PROPERLY AT THE LANDFILL. TOWN TRASH CANS OR DUMPSTERS MAY NOT BE USED.
11. UNLESS OTHERWISE AUTHORIZED, BEACH EVENTS OR COMMERCIAL ACTIVITIES MAY NOT BE SCHEDULED BETWEEN THE HOURS OF 8:30 AM AND 5:00 PM JUNE 15 THROUGH SEPTEMBER 15. ALL EVENTS OR ACTIVITIES SHALL END BY 10:00 PM.
12. BEACH EVENT OR COMMERCIAL ACTIVITY APPLICATIONS SHALL BE SUBMITTED TO THE TOWN ADMINISTRATOR FOR FINAL APPROVAL OR DENIAL ONLY AFTER SIGNED APPROVAL FROM THE POLICE CHIEF, BEACH MANAGER, FIRE CHIEF (IF APPLICABLE), HEALTH INSPECTOR (IF APPLICABLE) AND PARK AND RECREATION DIRECTOR (IF APPLICABLE). PERMIT MUST BE AVAILABLE FOR INSPECTION BY LAW ENFORCEMENT PERSONNEL AS IDENTIFIED IN SECTION V (3).
13. A COVER LETTER EXPLAINING THE PURPOSE OF THE BEACH EVENT OR COMMERCIAL ACTIVITY SHALL BE SUBMITTED WITH THE APPLICATION.
14. APPLICATIONS SHALL BE SUBMITTED AT LEAST TWO (2) WEEKS PRIOR TO THE PROPOSED BEACH EVENT OR COMMENCEMENT OF COMMERCIAL ACTIVITY. DEPENDING ON CIRCUMSTANCES OR AVAILABILITY, THIS MAY BE WAIVED AT DISCRETION OF TOWN ADMINISTRATOR OR DESIGNEE.
15. THE TOWN ADMINISTRATOR IN CONSULTATION WITH THE BOARD OF SELECTMEN AND THE BEACH MANAGEMENT ADVISORY COMMITTEE SHALL PROMULGATE APPLICATION FORMS AS WELL AS A LIST OF DESIGNATED BEACH AREAS UPON WHICH BEACH EVENTS MAY BE PERMITTED.
16. ANY REGULAR ANNUAL COMMERCIAL ACTIVITIES, OTHER THAN FOOD-RELATED SOCIAL BEACH EVENTS (I.E. SURFBOARD RENTALS) SHALL REQUIRE A NEW APPLICATION, APPROVAL AND PERMIT FEE FOR EACH CALENDAR YEAR.

III. FIRES

1. THERE ARE NO "OPEN-AIR" FIRES ALLOWED EXCEPT AS ARE SUBJECT TO THE RESTRICTIONS, LIMITATIONS AND EXCEPTIONS OF M.G.L. C. 48, S. 13.
2. COOKING GRILLS OR FIRES THAT COMPLY WITH M.G.L. c. 48, s. 13 SHALL BE PLACED A MINIMUM OF TWENTY-FIVE (25) FEET FROM ANY BEACH GRASS OR VEGETATION AND SHALL NOT BE PLACED ON OR IN ANY DUNE AREA.

3. ALL FIRES SHALL BE COMPLETELY EXTINGUISHED AFTER USE AND ALL CONTENTS AND FIRE DEBRIS SHALL BE THOROUGHLY DOUSED AND REMOVED FROM THE BEACH. BURYING CHARCOAL OR OTHER FIRE DEBRIS ON THE BEACH IS PROHIBITED.
4. NO GLASS, ALUMINUM OR OTHER NON-FLAMMABLE MATERIAL SHALL BE PLACED OR DISPOSED OF IN ANY FIRE.

IV. MOTOR VEHICLE OPERATION AND USE

IT SHALL BE A VIOLATION OF THESE REGULATIONS FOR ANY PERSON TO USE OR OPERATE A MOTOR VEHICLE, REGISTERED OR OTHERWISE, ON ANY BEACH ON NANTUCKET:

1. IN EXCESS OF TWENTY (20) MILES PER HOUR;
2. IN EXCESS OF FIVE (5) MILES PER HOUR WITHIN ONE HUNDRED (100) YARDS OF A PEDESTRIAN;
3. BETWEEN THE HOURS OF 9:00 AM AND 5:00 PM ON ANY LIFEGUARDED BEACH OR OTHER BEACH DULY POSTED WITH SUCH TIME LIMITS;
4. IN ANY AREA MARKED AS A NESTING SITE, WILDLIFE PROTECTION AREA OR REFUGE OR MARKED AS A BEACH OR DUNE RESTORATION AREA OR SO AS TO HARASS BIRDS;
5. ON A PRIMARY COASTAL BANK OR DUNE OR IN AREAS OF BEACH GRASS AT ANY TIME, EXCEPT OVER CLEARLY ESTABLISHED AND REGULARLY TRAVELLED MOTOR VEHICLE WAYS;
6. WITHOUT A VALID BEACH STICKER PROPERLY DISPLAYED ON THE VEHICLE;
7. IN ANY AREA PROPERLY POSTED AS "PRIVATE PROPERTY" OR "NO TRESPASSING".

V. PENALTIES AND ENFORCEMENT

1. ANY VIOLATION OF THESE REGULATIONS SHALL RESULT IN A FINE OF \$250.00 AND REVOCATION OF THE PERMIT.
2. THESE REGULATIONS MAY BE ENFORCED BY NON-CRIMINAL DISPOSITION IN ACCORDANCE WITH CHAPTER 1-2 THROUGH 1-6 OF THE CODE OF NANTUCKET AND MGL CHAPTER 40, SECTION 21D.
3. ENFORCING PERSONS SHALL BE: ANY POLICE OFFICER, BEACH MANAGER, LAND BANK PROPERTY MANAGER, TOWN BIOLOGIST, MARINE SUPERINTENDENT, PARK & RECREATION DIRECTOR, ANY FIREFIGHTER, ANY DEPUTY SHERIFF.